

REMARKS

In the June 23, 2006 Office Action, the Examiner rejected claims 1-11 under 35 U.S.C. §102(e) as being anticipated by U.S. patent application publication no. 2004/0168358 to Stump. In this Amendment, Applicants have amended the specification to correct typographical errors that were discovered and have amended the claims to more clearly define the invention. Applicants respectfully traverse the Examiner's rejection.

As a preliminary matter, Stump relates generally to a system for locating an underground utility and generating location data representative of a location of the underground utility within the subsurface. In connection with that, Stump discusses acquisition of geophysical data and geographical data associated with a route for an underground utility. Thus, Stump, differs greatly from the system of the present invention, which relates to a system and method for managing drainage system design for a field or area. Each pending independent claim, as amended, recites in some form the system or method of the present invention being directed to managing drainage system design for a field or area. Claim 1, as amended, recites "means within said computer for mapping a field." Claim 7 recites "gathering GPS data of a field needing a drainage system." Claim 10 recites "mapping a designated area." Claim 11, as amended, recites "a bounding box." Stump does not disclose or suggest any of these. Additionally, claim 9 is directed to a tiling machine, which likewise is not disclosed or suggested by Stump. For at least these reasons, all of the pending claims are patentable over Stump.

In the Office Action, the Examiner equates "excavation" and "drainage system," which simply are not the same. Stump does not disclose or suggest a system or method for managing drainage system design.

With respect to claim 1, Applicants have amended the claim to clarify that the system of the present invention is directed to mapping a field or area rather than a route. Additionally, claim 1 recites “means for producing an instruction set,” which is not the same as the guidance system disclosed in paragraphs [0056] – [0061] of Stump. For these reasons and those discussed above, claim 1 and all claims depending from claim 1 are patentable over Stump. Claim 10 recites similar elements and therefore is patentable over Stump for these same reasons.

With respect to claim 7, applicants have amended the claim to clarify that the collection of GPS data includes collecting the coordinates of a plurality of points along a perimeter of the field. Stump does not disclose or suggest the collection of datapoints along a perimeter of a field.

With respect to claim 11, Stump does not appear to discuss grids at all. Nevertheless, Applicants have amended the claim to clarify the grid initialization. Stump does not disclose or suggest at least the means for grid initialization recited in amended claim 11.

Additionally, Applicants have added new claims 12-15 to more clearly define the invention.

Conclusion

For at least the foregoing reasons, Applicants respectfully submit that the present patent application is in condition for allowance. An early indication of the allowability of the present patent application is therefore respectfully solicited.

If the Examiner believes that a telephone conference with the undersigned would expedite passage of the present patent application to issue, he is invited to call on the number below.

Applicants respectfully request a two-month extension of time in connection with the filing of this Amendment and Response and have paid for such extension via credit card through the USPTO electronic filing system. If any fees are due in connection with this application, including those for any necessary extension of time, such fees may be charged to PTO Deposit Account 50-2837.

Respectfully submitted,

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